

## **REMARKS**

Claims 1 and 7 remain in this application.

Reconsideration of the rejection of the claims is requested.

Claim 1 has been rejected as being anticipated by Coffield.

Claim 1 requires leg assemblies to be pivotally mounted on stretcher bars for movement between an extended position and “a retracted position with said leg assemblies disposed in folded over relation to each other”. Coffield does not describe or teach such a structure. First, there is no description in Coffield that the folding legs 112 and 114 are pivotally mounted on the segments 110A, 110C of the frame, 100. Second, there is no description in Coffield that the legs 112 and 114 are to be disposed in folded over relation to each other. Accordingly, a rejection of Claim 1 as being anticipated by Coffield is not warranted pursuant to the provisions of 35 U.S.C. 102.

As amended, Claim 1 is directed to an outdoor lounge comprising “a pair of leg assemblies disposed in parallel relation to each other longitudinally of the lounge ...” and “a pair of stretcher bars disposed in parallel relation to each other transversely of the lounge and said leg assemblies ...”. As can be seen in Fig. 1C of Coffield, the legs 112, 114 are disposed transversely of the lounge of the segments 110A and 110C of the frame 100 are disposed longitudinally of the cot. For this further reason, a rejection of Claim 1 as amended, as being anticipated by Coffield is not warranted pursuant to the provisions of 35 U.S.C. 102.

Claims 2 to 4 depend from Claim 1 and are believed to be allowable for similar reasons.

Claim 5 has been rejected as being unpatentable over Nastu in view of Coffield.

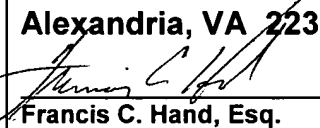
The Examiner alleges that Nastu teaches that the leg assemblies 16, 17 that can be moved into a retracted position in folded over relation to one another. Issue is taken in this respect. As illustrated in Fig. 8, the leg assemblies 16, 17 are folded over against the bottom side of the seat portion 12 (see column 5, lines 9 to 12) and are not in folded over relation to each other. Accordingly, the proposed modification of Nastu would not result in the claimed structure. Thus, a rejection of Claim 5 as being unpatentable over Nastu in view of Coffield is not warranted pursuant to the provisions of 35 U.S.C. 103.

Further, the Examiner alleges that it would be obvious to align the legs 16, 17 of Nastu such that they were parallel alleging that this would depend upon the design stability of the lounge. Issue is taken in this respect. As can be seen in Fig. 1 of Nastu, the lounge has a back section 11 that is movable between a raised inclined position and a horizontal position. The leg member 17 is disposed at a rearwardly directed angle in order to provide stability for the lounge when the back section 11 is in the raised position. This is conventional in lounges. If the leg member 17 were perpendicular, as alleged by the Examiner, the weight of an occupant on the back section 11 could cause rearward tipping of the lounge. Accordingly, because of this, it would not be obvious to one of ordinary skill in the art to modify Nastu as suggested by the Examiner to have the leg members 16, 17 in parallel.

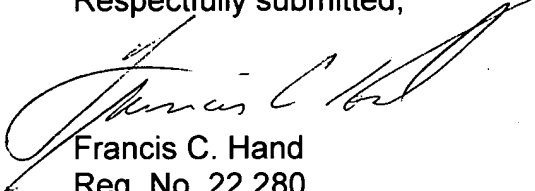
Claim 5 further requires "a fabric panel secured to and between said stretcher bars in parallel relation to said leg assemblies". As can be seen in Fig. 1 of Nastu, the fabric panel (12) secured between the seat frame members 12A, 12B is in transverse relation to the leg members, 16, 17. Accordingly, for this additional reason, a rejection of Claim 5 as being unpatentable over Nastu in view of Coffield is not warranted pursuant to the provisions of 35 U.S.C. 103.

The remaining references of record have been reviewed; however, none is believed to be further pertinent to the claimed invention taken alone or in combination.

The application is believed to be in condition for allowance and such is respectfully requested.

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<b>Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</b>	
 Francis C. Hand, Esq.	<u>7-21-2004</u> Date

Respectfully submitted,

  
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